

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION**

**CHRISTOPHER FAIN; ZACHARY
MARTELL; and BRIAN MCNEMAR,**
Individually and on behalf of all others
similarly situated,

Plaintiffs,

Civil Action No. 3:20-cv-00740

CLASS ACTION COMPLAINT

v.

WILLIAM CROUCH, in his official capacity as
Cabinet Secretary of the West Virginia
Department Of Health and Human Resources;
CYNTHIA BEANE, in her official capacity as
Commissioner for the West Virginia Bureau for
Medical Services; **WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN
RESOURCES, BUREAU FOR MEDICAL
SERVICES; TED CHEATHAM**, in his official
Capacity as Director of the West Virginia Public
Employees Insurance Agency; and **THE
HEALTH PLAN OF WEST VIRGINIA, INC.**

Defendants.

**STIPULATION EXTENDING TIME FOR DHHR DEFENDANTS TO
ANSWER THE AMENDED COMPLAINT**

Now come the plaintiffs, by counsel, and defendants William Crouch, Cynthia Beane and West Virginia Department of Health and Human Resources, by counsel, and enter this stipulation that these defendants were granted an extension of the time in which to respond to the Complaint. By agreement, the responsive pleading will be due on January 11, 2021.

Prepared by:

/s/ Lou Ann S. Cyrus

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Reviewed and Stipulated by:

/s/ Walt Auvil

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HEALTH PLAN OF WEST VIRGINIA, INC.**

Defendants.

CERTIFICATE OF SERVICE

Now come the plaintiffs, by counsel, and defendants William Crouch, Cynthia Beane and West Virginia Department of Health and Human Resources, by counsel, do hereby certify that on the 9th day of December, 2020, the foregoing **“STIPULATION EXTENDING TIME FOR DHHR DEFENDANTS TO ANSWER THE AMENDED COMPLAINT”** was electronically filed with the Clerk of the Court using the CM/ECF system, which will send a Notice of Electronic Filing to, and constitutes service on:

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